

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA

Lail M. Horry

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-against-

Roper Hospital

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

**Complaint for a Civil Case**

Case No. 2:23-cv-1596-RMG-MHC

(to be filled in by the Clerk's Office)

Jury Trial: ☒ Yes ☐ No  
(check one)

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2023 APR 17 PM 12:09

**I. The Parties to This Complaint****A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name

Street Address

City and County

State and Zip Code

Telephone Number

Gail M Horny

8021 Little Sutton Rd

Hollywood SC

29449

843 - 754 - 8410

**B. The Defendant(s)**

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

**Defendant No. 1**

Name

Job or Title  
(if known)

Street Address

City and County

State and Zip Code

Telephone Number

Roper Hospital

Deborah Wilson (HR) Manager

8536 Palmetto Commerce Pkwy Ste 402

Ladson

SC 29456

843 - 402 - 1007

**Defendant No. 2**

Name

Job or Title  
(if known)

Street Address

City and County

State and Zip Code

Telephone Number

**Defendant No. 3**

Name



Title VII of the Civil Rights Act of 1964, as codified, 42 U.S.C. §§ 2000e to 2000e-17 (race, color, gender, religion, national origin).

*(Note: In order to bring suit in federal district court under Title VII, you must first obtain a Notice of Right to Sue letter from the Equal Employment Opportunity Commission.)*



Age Discrimination in Employment Act of 1967, as codified, 29 U.S.C. §§ 621 to 634.

*(Note: In order to bring suit in federal district court under the Age Discrimination in Employment Act, you must first file a charge with the Equal Employment Opportunity Commission.)*



Americans with Disabilities Act of 1990, as codified, 42 U.S.C. §§ 12112 to 12117.

*(Note: In order to bring suit in federal district court under the Americans with Disabilities Act, you must first obtain a Notice of Right to Sue letter from the Equal Employment Opportunity Commission.)*



Other federal law (specify the federal law):



Relevant state law (specify, if known):



Relevant city or county law (specify, if known):

### III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

A. The discriminatory conduct of which I complain in this action includes (check all that apply):



Failure to hire me.



Termination of my employment.



Failure to promote me.



Failure to accommodate my disability.



Unequal terms and conditions of my employment.



Retaliation.



Other

(specify):

*discrimination, harassment, acts retaliation*

*(Note: Only those grounds raised in the charge filed with the Equal Employment Opportunity Commission can be considered by the federal district court under the federal employment discrimination statutes.)*

- B. It is my best recollection that the alleged discriminatory acts occurred on date(s)

12/2022 01/2023 - March 2023

- C. I believe that defendant(s) (check one):

- ☒ is/are still committing these acts against me.  
☐ is/are not still committing these acts against me.

- D. Defendant(s) discriminated against me based on my (check all that apply and explain):

- ☒ race \_\_\_\_\_  
☒ color \_\_\_\_\_  
☐ gender/sex \_\_\_\_\_  
☐ religion \_\_\_\_\_  
☐ national origin \_\_\_\_\_  
☐ age. My year of birth is \_\_\_\_\_. (Give your year of birth only if you are asserting a claim of age discrimination.)  
☐ disability or perceived disability (specify disability)  
\_\_\_\_\_

- E. The facts of my case are as follows. Attach additional pages if needed.

See Attachment A

(Note: As additional support for the facts of your claim, you may attach to this complaint a copy of your charge filed with the Equal Employment Opportunity Commission, or the charge filed with the relevant state or city human rights division.)

#### IV. Exhaustion of Federal Administrative Remedies

- A. It is my best recollection that I filed a charge with the Equal Employment Opportunity Commission or my Equal Employment Opportunity counselor regarding the defendant's alleged discriminatory conduct on (date)

May 06, 2022

- B. The Equal Employment Opportunity Commission (check one):

- ☐ has not issued a Notice of Right to Sue letter.  
☒ issued a Notice of Right to Sue letter, which I received on (date)  
January 30, 2023

(Note: Attach a copy of the Notice of Right to Sue letter from the

Gail M. Horry  
Roper St. Francis Hospital  
2093 Henry Tecklenburg Drive, Charleston, SC 29414  
Date of hire: 02/2017  
Supervisor: Mrs. Karen Wright  
Job title: Referral Specialist

#### Harassment

- I. Within February and March, I have received numerous emails from Mrs. Wright regarding my work performance. Mrs. Wright's emails referred to my work ethics, workload concerning the volume of calls, patients' incoming and outgoing referrals (referral process), and the scheduling process in correlation to the low clinic volumes for one of the providers (Dr. Murray).
  - a. On February 2nd, 2022, at 11:21 AM, I received an email from Mrs. Wright where she stated that I was closing out referrals too soon, for she stated that several referrals didn't have three call attempts. Mrs. Wright also said that several patients complained that when I called them to schedule an appointment for the providers, I would give the patients the scheduling line for them to return the call to schedule the appointment. Also, Mrs. Wright stated that I called a patient on February 1st, 2022, but I didn't schedule the patient appointment. Therefore, Mrs. Wright advised me to give all patients my direct number to call back to schedule their appointments even if the patient is not ready to schedule at the appointed time.
  - b. After conversing with Mrs. Wright via email, I decided to investigate the issue that Mrs. Wright brought to my attention. I later discovered that there was no need for me to contact the patient again because the issues were resolved in a telephone encounter by Dr. Aymond's Medical Assistant. Mrs. Wright referred to a patient I called on February 1st at 9:56 AM, Mr. John Doe, where I received no response, and a detailed voicemail was left for the patient to call the scheduling. Mr. John Doe returned the call on February 1st at 10:07 AM, and he spoke to one of the call center operators and left a detailed message for Dr. Aymond's nurse to return the call. Therefore, Mrs. Wright told me an untruth, and I was falsely accused of not doing my job.
  - c. On February 3rd, 2022, at 10:26, I received an email from Mrs. Wright that included a follow-up about our previous conversations on February 2nd. Within the email, Mrs. Wright stated that "I told her that I was having issues with ECW prematurely locking my referrals". Therefore she requested that I forward her the submitted tickets from IT. I informed Mrs. Wright that I had no idea that the

Attachment A

Telephone encounters were being closed out prematurely. I assumed that the TEs were being locked and closed out because of the system upgrade or my laptop. Mrs. Wright thought I was aware of these issues; therefore, she requested that I send her an email indicating my laptop issues with the HCW Help desk.

- d. On several occasions, I advised Mrs. Wright and Mrs. Yessica (her assistant) that my job roles are to handle the transfer of care, second opinions, schedule patients for the providers, and serve as a liaison between the patient and providers. I informed Mrs. Wright and Mrs. Yessica (her assistant) that all transfer of care and second opinions patients are given my direct line to return the call. The procedures are complicated to complete. If a patient is calling back to schedule an appointment, I was advised to give the patient the scheduling line to schedule their appointment, for this is the process of our referrals. \* Mrs. Wright replied, stating that this wasn't the process she wanted me to follow. Mrs. Wright stated that all patients are to be given my direct line to schedule an appointment. She also implied that "I do as she says" in a harsh manner.
- e. Proceedings, after I responded to Mrs. Wright via telephone, I received an email from her assistant Mrs. Yessica and another phone call from Mrs. Wright, stating that I am struggling to do my job because the other three referral specialists do second opinions and transfer of care and provide the patients with their direct line to call them back for all calls, for they indicated that this is the workload of all referral specialists. I informed Mrs. Wright that I'm not struggling with referrals; it's just that the process is different. After having numerous conversations with Mrs. Wright and Mrs. Yessica and being pressured to comply with the new strategy being implemented. In addition to dealing with Mrs. Wright's harsh tone of voice, when she told me to give the patients my direct line 1st and then the scheduling line second, I began giving patients my direct line and followed the new implementation of my management team.
- f. 2. After several unsuccessful attempts of explaining the referral process to Mrs. Wright and Mrs. Yessica via email and telephone. The failure of having unresolved issues and non-compliance with both brought a great deal of confusion, for I have always done referrals to the best of my knowledge and how I was trained. So, I took it upon myself to email Mrs. Jodi Umberger, the referral specialist trainer, asked her to please take a look at some of my referrals to see if there was anything that I was doing incorrectly or if I needed to improve. My supervisor and her assistant believed that I wasn't meeting the job expectations. I was confused because this was the same process I always followed, even under Mrs. Gail Litchfield's supervision.

Altogether, the management team treated me unfairly; their approach was unprofessional, with all the back and forth emails and phone calls. While I was working on referrals, it would've

seemed more appropriate for them to schedule a meeting with me because this caused a lot of stress. I asked Mrs. Wright via email if we could meet to discuss the referral process; instead, she suggested that another employee sit down with me to show me how I could be more efficient when handling referrals.

#### Retaliation and Discrimination

On February 2nd, 2022, at 3:10 PM, I emailed Mrs. Wright and Mrs. Yessica to briefly give them an overview of my workload and the referral process. In 2021 I completed over 6,445 incoming referrals from ECW, not including the paper referrals from outside. Last year, I scheduled referrals for the following providers: Dr. Aymond, Dr. Graham, Dr. Schoderbek, Dr. Ernst, Dr. Price, Dr. Ohlson, Dr. Lamb, Dr. Murray, William Boring PA, Kate Eden, PA, Sawyer Langston, PA, Matt Fahyanc PA, Kelly Kruse PA, Erin Watrobski PA and Alex Miller, PA. Once the initial calls have been made to the patient, if I receive a response, then I will triage the patient first before receiving approval from the patient to schedule an appointment. If the patient states, "they will call the office to schedule at a later time, then the referral will be closed out; referral protocol is to leave a detailed message in the telephone encounter/referrals, then the referral is closed out. If I receive no response during the initial call, a detailed voicemail is left stating that the patient should call the scheduling line to schedule their appointment. In numerous cases, when an unresponsive patient calls the scheduling line, either TOC or a second opinion referral, the call center operator first triages the patient; next, the operator will send me a detailed message in the TE. Then, the patient is given my direct line if it's a second opinion or TOC. Proceedings, the referral is sent back to me to complete. Consequently, if I continued to follow the new strategy Mrs. Wright implemented, I wouldn't be able to manage my workload efficiently and work effectively. I would be spending 50% of my time returning calls throughout the day when we have a call center that handles that process.

On February 2nd, 2022, at 3:10 PM, I explained to Mrs. Wright the changes she has implemented, which I am open to making. Despite all efforts, these changes would make me unproductive in promptly completing the referrals, but she replied that all referral specialists give patients their direct line to call back. I took it upon myself to call four call center operators to see if the other Referral specialists were following the same process because it seemed very daunting. The call center operators informed me that the other three referral specialists who are (Caucasian) were following the same process, for they were calling patients. When the patients refused to schedule their appointment, they would give the patients the scheduling line for them to schedule.

On February 3rd, Mrs. Wright emailed me back, thanking me for meeting with her. She gave me a brief overview of what she took from our discussion, which included: the workflow volume, return calls from patients process, IT issues with ECW (locking TEs prematurely), a refresher



training with a teammate, and she scheduled a meeting with Amanda Williams to discuss call center opportunities on February 9th, 2022. Furthermore, Mrs. Wright indicated that she would ask Kim Dunham to work with me on efficiency.

Mrs. Wright took it upon herself to neglect my workload concerns as an employee. She insulted my work performance by providing me with mentors for the new strategy she wanted to implement. Now we have unresolved issues piling up on each other, which caused a toxic, hostile work environment, and Mrs. Wright's efforts were and still are non-supportive.

After meeting with Mrs. Wright, I could recall numerous times when Mrs. Wright implied that my work performance didn't meet her expectations because she believes I am struggling. Mrs. Wright refused to meet with me to go over the referral process; I could see where this was going as an employee. Consequently, Mrs. Wright was setting me up for failure, for what supervisor doesn't assist or aid an employee when they are not meeting the supervisor's expectations. Therefore, as a confused employee, I took it upon myself before more tension, confusion, stress, and anxiety arose within this ongoing power struggle. I notified Mrs. Wright via email on February 3rd, 2022, at 11:36 AM, and informed her that I would be applying for the MDR position and asked her when she would be scheduling interviews. Mrs. Wright replied that she would be scheduling interviews next week (February 7th -11th), for she hadn't received my application from HR, and she would notify me once she receives my application. Lastly, Mrs. Wright notified me that the MDR position would be a decrease in pay, for the position is a pay band six, and my current position salary is a pay band 7.

On February 4th, 2022, at 10:24 AM, I emailed Mrs. Wright back, stating that I am no longer interested in the MDR position because of the decrease in pay, and asked her kindly to remove my name from the candidacy.

There had been no communication before what took place on February 2nd, 2022. Secondly, Kim Dunham never showed up to meet with me on February 8th at 9:00 AM to aid me throughout the efficiency process and give me suggestions for work improvements. Mrs. Wright still disregarded my concerns, has not resolved any of my issues and is unsupportive. Which made me feel imitated because I didn't and still don't know what to expect from my supervisor. I feel highly threatened by the comments made about my work performance by Mrs. Wright.

On February 9th, 2022, at 9:00 AM, I met with Mrs. Amanda Williams (Call Center Supervisor), Mr. Carter Crawford (Manager of Operations), and Mrs. Karen Wright. Per my request, I asked Mr. Crawford to sit in the meeting - because I felt that this would be an ongoing power struggle that would increase more tension between my supervisor and me. We spoke about the detailed messages on how to triage patients and have open communication between the call center and me during the meeting.



After the meeting, approximately an hour or two, Mrs. Wright was unaware that I was sitting at my desk behind the petition. And that when I overheard the conversation that Mrs. Wright was having on her cell phone stating that "a referral position will be opening soon because she has an employee moving to the front desk".

Later that afternoon, around 2 PM, I was called into the office for my evaluation, and I was startled when my performance score dropped significantly this year. I wasn't evaluated before the leave of my previous supervisor Mrs. Gail Litchfield. My work performance review evaluation only accounted for January 4th, 2022, to March 4th, 2022, a month's time period, but the paper also indicated that this was my 2021 Performance Evaluation. Mrs. Wright only had the opportunity to supervise me for about two and a half months. I asked Mrs. Wright during the review of my evaluation: "What did she evaluate me on, and who did my evaluation?". Mrs. Wright indicated that she and Gail Litchfield evaluated my work performance. Then I asked Mrs. Wright if she spoke to the Medical assistants and providers, and she said "No". So, I asked Mrs. Wright once again, "What did you evaluate on me?" because I was confused. Mrs. Wright replied harshly, "Due to patient complaints, not scheduling patients correctly, and you are struggling to perform your job- this is a good evaluation, for I just don't give high numbers just to be given them out". Then, Mrs. Wright stated, "By the way, I have spoken to HR, and we have decided to move you to the front desk, and you will keep your pay, and it would be best to move you to the front desk". My response to Mrs. Wright was, "I am not struggling, it is just that the referral process is different from what I am doing compared to the other three Referral Specialists". I told Mrs. Wright, "the comment that you made was very degrading for me to hear that I am struggling when you mentioned that I am not following the referral process in accordance with my job description". Mrs. Wright replied, "Gail, just do as I say". And I told Mrs. Wright, "Mrs. Wright, I don't like your tone of voice". Once again, Mrs. Wright disregarded my concerns while I was walking out of the office; Mrs. Wright said, "Gail, I don't want to hear this conversation again, just like you had Carter sit in the meeting with you". Then, I asked her, "What are you referring to?". Mrs. Wright implied "That I heard some things" and I said "You are absolutely correct, just like I heard you went around telling several supervisors that I don't know my job and that I am struggling- and you also stated "that if I don't do what you say to do there will be consequences, and that statement was made my teammates". She said, "I know Gail Litchfield told you all of those things," and I responded, "No, I didn't tell you that it was Gail Litchfield".

Abruptly, we left the meeting, and we stood by the microwave and began chatting with another employee (Melissa) about the referral process. Melissa confirmed that the process is different from the others because she prints all of the referrals from the fax inbox, and sometimes patients will bring in their records. After hearing Melissa's opinion, Mrs. Wright was now receptive to hearing what I had to say about the referral process; I tried to explain and show the referral

process several times to her, but it was dismissed. On that particular day, Mrs. Wright stated, "Oh my ladies, don't do that over there, Gail; you have these MA's spoiled, and we are going to change that process and take this off your plate". I said, "Mrs. Wright, this is what I have been trying to tell you from the beginning; it is not the work volume; it is the process of the referrals".

On February 9th, 2022, at 4:27 PM, Mrs. Wright emailed me about our meeting with Amanda. Mrs. Wright mentioned the key takeaways: Gail should provide her contact number when leaving messages for patients that she could not reach. Secondly, more documentation is needed on both sides. Thirdly, the phone team should take the initiative to triage and schedule if they receive calls from patients who are returning calls from Gail. Fourthly, she would work on making it less labor-intensive for me, including the transfers of care and second opinions. Lastly, Mrs. Wright stated that the referral specialist should sit and discuss workflows and processes to streamline efficiency.

Mrs. Wright's motives indicate that she is not a helpful supervisor; she didn't accept my concerns until another employee stated that I was right, for this was a caucasian woman. I felt highly discriminated against, depressed, humiliated, offensive, and abused by her words and actions throughout this entire process. Mrs. Wright has made me very uncomfortable, especially in her presence, even when she threatened me, "To do as she says". Mrs. Wright is very impolite and doesn't respect or value me as an employee, for she doesn't trust my judgment. She doesn't know the referral process; Mrs. Wright's behaviors and words have become very terrorizing, for she is a bully. I cannot trust her, for it is apparent that she is very untruthful, and she indicates that she has received numerous complaints about me, but she never lets me listen to the calls. Secondly, she didn't keep her truth about my work performance, and she never told me that Kim Dunham, the referral specialist, wasn't coming to aid me on efficiency. Today, March 30th, 2022, Mrs. Kim Dunham hasn't met with me on efficiency.

Altogether, Mrs. Wright is very antagonizing; she has told me several lies and neglected me as an employee, which has drained my mental capabilities. Mrs. Wright is a bully by her actions and words. Her actions and behaviors have made the work environment hostile; the ongoing power abuse and the intimidation practices she uses threatens my job security. I don't feel comfortable working around her or with her, for I can't even ask her a simple question without her exerting her authoritarian leadership. My work performance is being minimized based on the opinions brought from the management team, who haven't truly seen my work for a period of time where they can make an accurate judgment. What supervisor doesn't consider the feedback of an employee? Mrs. Wright doesn't, for she showed favoritism, and when I expressed my concerns, Mrs. Wright disregarded everything I said; instead, she suggested that I be retrained again by someone else. When will the harassment, retaliation, and discrimination stop? This is against the Roper St. Francis Employee Code of Conduct for Roper St. Francis has zero-tolerance "For workplace violence, harassment, discrimination or retaliation". Secondly, our organization has

committed to providing a work environment where all are treated with care and respect following the Roper St. Francis Healthcare Standards of Behavior". Thirdly Roper St. Francis believes that "There will be no retaliation against any employee".

On February 24th at 1:25 PM, I received a call from Mr. Carter Crawford (Operational Manager) 14 days later after meeting with my supervisor, Mrs. Karen Wright, regarding retaliation. He stated that Mrs. Wright mentioned it to him, and he was inquiring about who implied that Mrs. Wright was going to retaliate against me. Mr. Crawford persistently inquired about who told me that Mrs. Wright was going to retaliate against me. I told Mr. Crawford that I didn't feel comfortable discussing these issues over the phone, and I decided to meet him in the office later that day. When I got to the office, I told him that he should have Mrs. Wright in the meeting because there are many unresolved issues, feuding within my workplace, and I don't know whom to trust. The only thing on his agenda was retaliation, and he wanted to know who made the comment on retaliation.

Again, I was harassed, neglected, and discriminated against because none of these employees truly cared about my concerns; they were only trying to cover themselves. I have taken enough from everyone; when will it stop? This is ongoing discrimination, harassment, and loss of equity. These issues have caused my life to be consumed with stress, for my job security is at risk, and my financial assets, mental health, and environment are very unstable. I have worked at Roper St. Francis Hospital for five years, and I have never witnessed such disturbance when dealing with leaders in management. I want everyone to understand that I am not an animal; I am a human being who needs to be treated with respect as an employee, for I haven't been treated with respect or even felt equal to my colleagues since Mrs. Gail Litchfield left, my former supervisor. This is a total disgrace!

On February 28th, 2022, I emailed Mrs. Julie Graudin (Controller). I explained to her that I met with my supervisor, Mrs. Karen Wright, on February 9th to discuss my performance appraisal, which was inaccurate, and express other concerns. In addition to this, I also mentioned that I had a telephone conversation and in-person meeting with Mr. Crawford on February 23rd, 2022, to discuss the following issue: Retaliation. Throughout this meeting, I felt that Mr. Crawford disregarded my concerns as an employee. His only motive was to determine who the employees were who told me about retaliation. Therefore, I requested to meet with Mrs. Graudin.

Later that afternoon, Mrs. Graudin stated that her assistant, Mrs. Katie Dubato, would reach out to me and schedule a time to meet. Next, I thanked her for accepting my request to meet. I received another email from Mrs. Graudin on March 2nd, 2022, stating that she reviewed my evaluation and asked for my availability. I told Mrs. Graudin that I could meet with her this afternoon or tomorrow (March 3rd). Later on that day (March 2nd), Mrs. Graudin replied that she reviewed my evaluation and she believed that my evaluation was good; therefore, she was

going to reach out to HR to give her some feedback on the evaluation and conversations that I had with Mr. Crawford and Mrs. Wright and that she would be in touch with me pretty soon. After reading Mrs. Graudin's response, I was a little confused about her judgment and motives, for when I first emailed her, she was available to meet, and then after she reviewed my evaluation, she stated that she had to receive some feedback from HR to meet with me about my concerns on March 2nd. As of today, I haven't spoken or heard from her again.

On February 7th, 2022, I called Ms. Jane Doe, and I didn't receive an answer. Therefore I left a detailed message for the patient requesting Ms. Doe to call my direct line or the scheduling line. Following March 9th, 2022, I called Ms. Jane Doe again, and she answered. The patient explained that she didn't want to schedule an appointment with Dr. Price- but she preferred to be seen by Dr. Young. Unfortunately, I informed the patient that I don't schedule for Dr. Young; then, I gave the patient the option to call the main scheduling line at (843) 958-2500, or I can transfer the call to the call center for the patient to schedule their appointment. She immediately responded, stating they wanted to be transferred to the call center; the call was a warm transfer. Around 5 o'clock that evening, I received an email from my supervisor, Mrs. Wright, and she wanted to know, "If I called a patient for Dr. Price because she didn't see a referral on file and the patient called upset."

Please see the following emails attached below from March 9th at 4:53 PM - to March 10th at 10:14 PM.

Once again, Mrs. Wright falsely accused me of not following referral protocol.

- 6 On March 8th, 2022, I emailed Mrs. Wright to let her know that I wasn't feeling well, for it felt as though I was coming down with either a stomach bug or a sinus infection. Yet, Mrs. Wright sent me an email to attend the meeting via teleconference with Mrs. Kimberly Dunham, Mrs. Brenda Wolaver, Mrs. Ashley Rolander, herself, and me to discuss the referral process.

On March 10th, 2022, I received an email from Mrs. Wright indicating that she wanted me to send the ED Referral list for the following days' March 3 - 5, 2022. I replied that I don't receive ED referral lists; ER referrals are received through incoming referrals, MA's, or another provider office. Once again, I was falsely accused and harassed when Mrs. Wright stated, "I thought you said that the ED referral list was forwarded to you to call the patients?"

Please see the email dated, March 10th, 2022, at 12:37 PM.

On March 23rd, 2022, at 9:00 AM, Mrs. Deborah Wilson (Human Resource) and I was in a meeting to discuss my complaints and the ongoing issues in my work environment. I presented

all emails from Mrs. Karen Wright as proof of evidence. To see if we could discuss ways to restore and resolve the issues I am dealing with. At the beginning of the meeting, Mrs. Wilson stated the only way she could assist me was if I gave her the names of people who provided the information about retaliation in order to do her investigation and move forward. I explained to Mrs. Wilson that I was the only person being harassed, discriminated, and retaliated against. Then, I proceeded to tell Mrs. Wilson "that I can no longer perform my job under these circumstances".

Additionally, I asked Mrs. Wilson if she could remove me from working under Mrs. Wright's supervision. Mrs. Wilson replied, "I can't do that, for I will need to investigate further". And later on, I explained to Mrs. Wilson that I am depressed and that my mental capabilities are decreasing. In my best interest, I cannot be productive working in a toxic and hostile work environment.

On Wednesday, March 23rd, at 10:00 AM, Mrs. Wright, Mrs. Amanda ( Call Center Supervisor), Mrs. Deborah Wilson, and I met. Per my request, I asked that a Human Resource representative (Mrs. Deborah Wilson) attend this meeting because Mrs. Gaudin (Controller) for the Orthopedics department never reached back out to me. The agenda was to discuss communication and telephone encounters.

1. I provided several Telephone encounters for the meeting that were used for educational purposes. During the meeting, both Mrs. Wright and Mrs. Amanda stated in the meeting that I was doing a great job! As we discussed, the following referral process includes documenting details accurately in the patient's record. Throughout the meeting, I took notes. Before the meeting, I had the opportunity to address some of those issues again with Mrs. Wright, and she stated that the providers and their medical assistants depend on me to get things done. When the meeting began, my initial question was (in front of the group): "Mrs. Wright, you stated that I was struggling this entire time, but I'm not. It's just that the referral process is different. On February 8th, you stated that all referral specialists have the same job description and we should all be doing the same thing, so why am I the only one with different duties?" I was waiting on a response from Mrs. Wright once again, she disregarded my statement.
2. Mrs. Wright also asked me to give an outline description of all the provider's requirements needed to complete the transfer of care or 2nd opinions.
3. Lastly, Mrs. Deborah Wilson (HR) advised Mrs. Wright and Mrs. Amanda to talk with the provider to understand their expectations and protocol.

On March 23rd, at 11:14 AM, Mrs. Deborah Wilson and I returned to her office to continue the meeting. I began to feel sick and discombobulated; so I walked outside for fresh air. When I returned, I realized that Mrs. Wilson couldn't help me. At this time I have given her all the emails of the detailed conversations exchanged between the management team and me. Mrs. Wilson simply implied that "The meeting concerns was too much to write, and she doesn't type

last". Before leaving her office, I thanked her for her time and asked that she would inform Mrs. Grandin that I am still waiting for her to get back to me". The meeting was adjourned; as of today, March 30th, 2022, I have not heard back from human resources.



June 29, 2022

RE: Roper St Francis Hospital

Mrs. Deborah Wilson, HR Manager

Good Morning Mrs. Deborah Wilson,

I'm writing this letter with reference to the previous letter dated March 31, 2022. At this time, I sincerely request you review the information below as it is essential to understanding the current circumstance.

On February 9, 2022, I requested Mr. Carter Crawford (Manager of Operation) to observe a zoom meeting with Mrs. Karen Wright and Mrs. Amanda Williams (the call center supervisor). Where we discussed telephone encounters and how to triage patients for educational purposes. I believe that it was best for Mr. Crawford to observe the meeting due to prior conversations and remarks that were made against me by my supervisor Mrs. Wright. Indeed, I could see that my work environment was becoming hostile. I felt that it was best to have a mediator between the both of us so that we could successfully resolve all issues.

Consequently, I believed this meeting would turn into an ongoing power struggle that would increase tension between my supervisor and me.

Later that day, I overheard Mrs. Wright, my supervisor, conversing with an unknown individual on the phone. Mrs. Wright told the unknown individual while sitting in the back office, "I have a black gal who is struggling to keep up with referrals and that I will be moving her to the front desk". After overhearing Mrs. Wright's conversation, I was in disbelief and felt inferior. Therefore, I decided to wait and build enough courage before entering the office. I went to the office and told Mrs. Wright, "I didn't appreciate the racial comment you made, and I am not struggling- It is just that the referral process is different from the other referral coordinators." On numerous occasions, I have expressed and shared my concerns pertaining to my work ethic, along with explaining the referral process to Mrs. Wright. Despite my efforts, Mrs. Wright disregarded all my concerns and persistently believed I was struggling.

On February 24, 2022 at 1:25 PM, I received a call from Mr. Carter Crawford (Operational Manager) 14 days later after meeting with my supervisor, Mrs. Karen Wright. He stated that Mrs. Wright mentioned it to him, and he was inquiring about who implied that Mrs. Wright was going to retaliate against me. Mr. Crawford persistently inquired about who told me that Mrs. Wright was going to retaliate against me. I told Mr. Crawford that I didn't feel comfortable discussing these issues over the phone, and I decided to meet him in the office later that day. When I got to the office, I told him that he should have Mrs. Wright in the meeting because there are many unresolved issues, feuding within my workplace, and I don't know whom to trust. The only thing on his agenda was who made the comment on retaliation, and not the racial comment that



Mrs. Wright made. Therefore, I requested to meet with Mrs. Graudin (Controller) because Mr. Crawford didn't want to address that issue.

On February 28th, 2022, I emailed Mrs. Julie Graudin (Controller). I explained to her that I met with my supervisor, Mrs. Karen Wright, on February 9th to discuss my performance appraisal, which was inaccurate, and express other concerns.

Later that afternoon, Mrs. Graudin stated that her assistant, Mrs. Katie Dubato, would reach out to me and schedule a meeting time. Next, I thanked her for accepting my request to meet. I received another email from Mrs. Graudin on March 2nd, 2022, stating that she reviewed my evaluation and asked for my availability. I told Mrs. Graudin I could meet with her this afternoon or tomorrow (March 3rd). Later on that day (March 2nd), Mrs. Graudin replied that she reviewed my evaluation and she believed that my evaluation was good; therefore, she was going to reach out to HR to give her some feedback on the evaluation and conversations that I had with Mr. Crawford and Mrs. Wright and that she would be in touch with me pretty soon. After reading Mrs. Graudin's response, I was a little confused about her judgment and motives, for when I first emailed her, she was available to meet, and then after she reviewed my evaluation, she stated that she had to receive some feedback from HR to meet with me about my concerns on March 2nd. As of today, I haven't spoken or heard from her again.

On March 23rd, 2022, at 9:00 AM, Mrs. Deborah Wilson (Human Resource) and I was in a meeting to discuss my complaints and the ongoing issues in my work environment. I presented all emails from Mrs. Karen Wright as proof of evidence. To see if we could discuss ways to restore and resolve the issues I am dealing with. At the beginning of the meeting, Mrs. Wilson stated the only way she could assist me was if I gave her the names of people who provided the information about retaliation in order to do her investigation and move forward. I informed Mrs. Wilson about the racial comment. Once again Mrs. Deborah Wilson dismiss the racial comment that was made by Mrs. Karen Wright, and also that I am struggle to perform my job. I explained to Mrs. Wilson that I was the only person being harassed, discriminated against, and retaliated against; Then, I proceeded to tell Mrs. Wilson "that I can no longer perform my job under these circumstances".

Additionally, I asked Mrs. Wilson if she could remove me from working under Mrs. Wright's supervision; Mrs. Wilson replied, "I can't do that, for I will need to investigate further". And later on, I explained to Mrs. Wilson that I am depressed and that my mental capabilities are decreasing; In my best interest, I cannot be productive working in a toxic and hostile work environment.

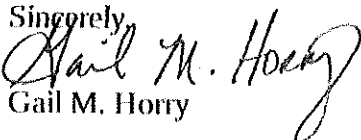
On March 23rd, at 11:14 AM, Mrs. Deborah Wilson and I returned to her office to continue the meeting. I began to feel sick and discombobulated; so I walked outside for fresh air. When I returned, I realized that Mrs. Wilson couldn't help me. At this time I have given her all the emails of the detailed conversations exchanged between the management team and me. Mrs.

Wilson simply implied that "The meeting concerns was too much to write, and she doesn't type fast". Before leaving her office, I thanked her for her time and asked that she would inform Mrs. Graudin that I am still waiting for her to get back to me".

As a Roper St. Francis employee, all employees failed to acknowledge the following matters I was: discriminated against, publicly harassed, denied proper care and support, and experienced after receiving retaliation from my supervisor Mrs. Wright.

Thank you in advance for your time and consideration for correction.

Sincerely,

  
Gail M. Horry

- ☐ issued a Notice of Right to Sue letter, which I received on (date) \_\_\_\_\_.

*(Note: Attach a copy of the Notice of Right to Sue letter from the Equal Employment Opportunity Commission to this complaint.)*

**C. Only litigants alleging age discrimination must answer this question.**

Since filing my charge of age discrimination with the Equal Employment Opportunity Commission regarding the defendant's alleged discriminatory conduct (check one):

- ☐ 60 days or more have elapsed.
- ☐ less than 60 days have elapsed.

**V. Relief**

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

*Reinstatement to the job due to constructive discharge,  
front pay of (2) years @ 40,000 per year; restoration  
of last year 401(k) benefits.*

**VI. Certification and Closing**

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

**A. For Parties Without an Attorney**

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: *April 18, 2023*

Signature of Plaintiff

Printed

Name

of

Plaintiff

*Gail M. Henry*

**B. For Attorneys**

Date of signing: \_\_\_\_\_, 20\_\_.

Signature \_\_\_\_\_

of

Attorney \_\_\_\_\_

Printed \_\_\_\_\_

Name \_\_\_\_\_

of

Attorney \_\_\_\_\_

Bar Number \_\_\_\_\_

Name of Law Firm \_\_\_\_\_

Address \_\_\_\_\_

Telephone Number \_\_\_\_\_

E-mail Address \_\_\_\_\_